

Motion made by Commissioner Tucker and seconded by Vice Chair Hillgren and carried (4 – 0 – 3), to adopt a resolution approving Lot Line Adjustment No. LA2012-007 and Variance Permit No. VA2012-007.

AYES: Ameri, Hillgren, Toerge, and Tucker
NOES: None
ABSTENTIONS: None
ABSENT: Brown, Kramer, and Myers

Mr. Person indicated withdrawal of the previous request for a continuance.

ITEM NO. 3 MIXED-USE CODE AMENDMENT (PA2013-020)
Site Location: City of Newport Beach

Planning Manager Patrick Alford presented details of the report including background and direction by the City Council to initiate an amendment that would allow the ability to modify the minimum lot area/density standard. He addressed applicable zoning areas and districts and presented recommendations as stated in the report. A revised Exhibit A to the draft resolution was distributed to correct a few typographical errors.

Commissioner Tucker clarified actions needed at this time.

Interested parties were invited to address the Planning Commission on this matter.

Jim Mosher pointed out typographical errors needing correction and opined that the literal form of the amendment is not a valid amendment to the Zoning Code. He referenced Section 4.18 of the City Charter as well as recent changes relative to amending sections or sub-sections in their entirety and commented on the need to clarify the tables within the document.

There being no others wishing to address the Planning Commission, Chair Toerge closed the public hearing.

Discussion followed regarding an existing procedure for rounding numbers within the Zoning Code.

Motion made by Commissioner Tucker and seconded by Commissioner Ameri and carried (4 – 0 – 3), to adopt a resolution recommending the City Council approval of Code Amendment CA2013-001.

Commissioner Tucker suggested that going forward; staff redoes the paperwork so that it is consistent with the City Charter requirements.

Assistant City Attorney Mulvihill indicated that Commissioner Tucker's suggestions can be incorporated into the ordinance and noted that the City Attorney's office agrees with his comments.

AYES: Ameri, Hillgren, Toerge, and Tucker
NOES: None
ABSTENTIONS: None
ABSENT: Brown, Kramer, and Myers

VIII. STAFF AND COMMISSIONER ITEMS